The State of New Hampshire

DEPARTMENT OF ENVIRONMENTAL SERVICES

Thomas S. Burack, Commissioner

February 16, 2007

The Honorable Dennis F. Abbott, Chair
Fish and Game Committee
Room 307, Legislative Office Building
Concord, NH 03301

RE: HB 846, transferring certain land in the town of Stoddard from the Trust for Public Land to the fish and game department

Dear Chairman Abbott:

Thank you for the opportunity to comment on HB 846, which transfers to the New Hampshire Fish and Game Department (NHFG) the dam, water rights and a 2.5-acre car-top boat launch access area on Robb Reservoir in Stoddard.

Under an agreement with NHFG, the Department of Environmental Services (DES) Dam Bureau performs all operation, maintenance and repairs required on dams owned by NHFG. HB 846 specifies that NHFG would acquire the dam and boat launch area on the condition that DES finds the dam in a reasonable and acceptable state of repair. This finding will only be made by DES if all outstanding deficiencies have been corrected at no cost to the state prior to acquisition.

In Attachment I, we have provided a description of the Robb Reservoir Dam and a summary of the results of a DES inspection, including a list of deficiencies. The inspection was performed after the October 2005 flood events. Over the past several months, DES has been working with The Trust for Public Lands to address these deficiencies.

If the dam is acquired, NHFG and DES will incur additional costs, without additional funding, to perform annual routine maintenance activities and major repairs that may be required on the dam in the future. Annual routine operation and maintenance costs are estimated to be approximately $2,000. These costs are relatively low, because DES currently operates and maintains other dams in the general vicinity, including those at Highland Lake and Island Pond in Stoddard. In addition, given the age and type of construction of the dam, it is reasonable to assume that major repair work, costing on the order of $50,000, will be required within 20 years.

In closing, please also note that under RSA 482:93, the Legislative Dam Management Review Committee has been assigned responsibility for considering dam acquisitions and for developing criteria for the Legislature to base acquisition recommendations. In this context, we recommend that you consider contacting the Chairman of the Legislative Dam Management Review Committee regarding HB 846 when it convenes this legislative session.

Thank you for this opportunity to comment on this bill. Please call either me at 271-3503 or Jim Gallagher at 271-1961 if you have any questions or need additional information.

Very truly yours,

Thomas S. Burack

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Commissioner

cc: Representative Daniel A. Eaton

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ATTACHMENT I
DESCRIPTION OF ROBB RESERVOIR DAM AND OCTOBER 2005 DES INSPECTION RESULTS

Rob Reservoir Dam Description

Robb Reservoir Dam is located at the headwaters of the North Branch of the Contoocook River, a tributary to the Contoocook and Merrimack Rivers. Robb Reservoir has an area of approximately 110 acres and an average depth of approximately 3 feet. Access is available by way of a dirt road to the dam, where it is possible to launch canoes and other small boats.

Information available in the files of the DES Dam Bureau indicates that the original dam was constructed in 1912 for water storage purposes. In 1953, the current dam was designed and constructed by New Hampshire Fish and Game (NHFG) with funding from the Federal Aid to Waterfowl program. At the time of the reconstruction, the NHFG acquired a 30-year lease to maintain the dam and associated property. When that lease expired, the owners of the property at that time were unwilling to renew it, and the dam reverted to their ownership.

The dam is approximately 11 feet high and 120 feet long. The dam is an earthen embankment, having a crest width of approximately 10 feet, and includes a concrete overflow spillway (42 feet wide by 5 feet high) and a stoplog bay approximately 5.5 feet wide by 10 feet high. During high flow events, flashboards on the primary spillway are supposed to fall to pass the design flood with adequate freeboard.

The dam is classified as a low-hazard dam. In the event of a dam failure, the private road accessing the dam and a downstream bridge could be heavily damaged.

October 2005 Inspection Results

DES formally inspected the dam after the October 2005 flood. During that flood the wooden flashboards on the top of the concrete spillway failed to fall over to provide additional spillway capacity, and the dam was overtopped. However, the dam was not damaged due to overtopping. As a result of that inspection, a Letter of Deficiency was issued to the owners outlining the actions that need to be taken to correct the deficiencies. These included:

- Removing brush and tree growth from several locations on the dam.
- Removing the flashboards until a design is submitted and approved and modifications installed to allow the flashboards to fall over during flood flows to provide additional spillway capacity to prevent the dam from overtopping.
- Monitoring and repairing, if necessary a crack in the concrete at the left end of the walkway above the stoplog bay. Repairs are only needed if the crack worsens.

As of February, 2007, much of the brush and tree growth has been removed and the flashboards have been removed. The crack in the concrete only needs to be monitored and is not serious enough to require repair now but may require future work.